

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
AT CINCINNATI**

In re:

STACEY L. CAMP
F/D/B/A CAMP'S DELI AND
DRIVE THRU, INC

ROBBIN R. CAMP
F/K/A ROBBIN WHITE

CASE NO. 10-17284

CHAPTER 13

JUDGE Burton Perlman

Debtors.

**MOTION FOR RELIEF FROM AUTOMATIC STAY
6029 ELBROOK AVENUE, CINCINNATI, OH 45237**

Now comes Residential Credit Solutions, Inc., ("Movant") and, through counsel, moves pursuant to 11 U.S.C. Section 362 for an Order terminating the automatic stay with respect to certain property owned by the Debtors in which Movant has a security interest. In support of this Motion, Movant states as follows:

1. On October 25, 2010, Stacey L. Camp f/d/b/a Camp's Deli and Drive Thru, Inc. and Robbin R. Camp f/k/a Robbin White, ("Debtors") filed a petition for relief under Chapter 13 of the Bankruptcy Code.
2. Prior to the filing of the petition, Movant was granted a security interest in certain real property owned by the Debtors. The Mortgage Lien is in the real property located at: 6029 Elbrook Avenue, Cincinnati, OH 45237.
3. The Mortgage was recorded with the Hamilton County Recorder's Office on March 31, 2004.
4. Except with respect to the real estate taxes and assessments, the Mortgage Lien is the first lien in the Real Property.

5. Beneficial Financial Inc. may have an interest in the Real Property by virtue of a judgment lien in the approximate amount of \$14,103.01.

6. Since the filing of the petition, Debtors have not made payments to Movant in accordance with the Note secured by the Mortgage. Debtors have not made any payments due for the months August 1, 2011 through November 23, 2011.

7. As of the filing of this Motion, Debtors are indebted to Movant in the amount of \$76,313.47, plus interest, late fees, expenses and other charges.

8. Movant contends that the obligations owed to Movant are greater than the value of the collateral securing the obligation and, accordingly, that Debtors have no equity in the real property in which Movant has a security interest.

9. Additionally, Movant contends that the Debtors are unable to make adequate protection payments to Movant, and, therefore, that Movant is entitled to relief from the automatic stay.

THEREFORE, Movant requests that this Court terminate the Automatic Stay and enable Movant to enforce its state law remedies with respect to the property located at 6029 Elbrook Avenue, Cincinnati, OH 45237.

Respectfully submitted,

/s/ David C Nalley

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NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 4001-1(c)

PLEASE TAKE NOTICE THAT any responsive pleading filing to or memorandum in connection with Movant Motion for Relief From Stay filed on November 23, 2011, shall be filed within twenty-one (21) days from the service of such motion unless otherwise ordered by the Court. Failure to file a response and accompanying memorandum on a timely basis may be cause for the Court to grant the Motion as filed without further notice. Any response to the Motion shall state with particularity the reasons that the Motion is opposed and, if appropriate, make a specific offer of adequate protection.

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd of November, 2011, a copy of the foregoing Motion for Relief from Stay was served on the following registered ECF participants, **electronically** through the court's ECF System at the email address registered with the court:

Margaret A. Burks, Bankruptcy Trustee

U.S. Trustee

David C Nalley, Counsel for Creditor

Rebecca S Lindner, Debtor's Counsel

and on the following by **ordinary U.S. Mail** addressed to:

Stacey L. Camp f/d/b/a Camp's Deli and Drive Thru, Inc., Debtor
3309 Nandale Drive
Cincinnati, OH 45239

Robbin R. Camp f/k/a Robbin White, Debtor
3309 Nandale Drive
Cincinnati, OH 45239

Beneficial Financial Inc.
PO Box 8546
Virginia Beach, VA 23452

/s/ David C Nalley

David C Nalley

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**RELIEF FROM STAY / ADEQUATE PROTECTION
EXHIBIT AND WORKSHEET --- REAL ESTATE
(for use as required by LBR 4001-1(a)(1))**

Real Property address which is the subject of this motion:

6029 Elbrook Avenue, Cincinnati, OH 45237

DEBT / VALUE REPRESENTATIONS:

Total Debtor indebtedness at the time of filing the Motion for relief from stay (not to be relied upon as a payoff quotation):

\$ 80,008.67

Movant's estimated market value of the real property:

\$ 95,600.00

Source of the estimated valuation:

Hamilton County Auditor

STATEMENT OF ARREARAGE:

(1) As of petition filing date:

\$ 0.00

Amounts paid after the date of filing to be applied to the Pre-petition default:

\$ N/A

(2) Post-petition:

\$ 3,062.84

(3) Monthly payment amount:

\$ 765.71

(4) Date of Last Payment:

\$ N/A

(5) Amount of Last Payment:

\$ N/A

Number of payments due post-petition 4 Through Payment Due: November 23, 2011

Number of payments received post-petition 9

Number of payments in default post-petition 4

Total amount of post-petition payments currently in default	\$ <u>3,062.84</u>
Post-petition late charges (+)	\$ <u>52.36</u>
Fees	\$ <u>580.00</u>
Suspense Balance	\$ <u>(677.21)</u>
Total Post-petition Arrearage (=)	\$ <u>3,017.99</u>

OTHER LOAN INFORMATION:

Date of the Loan: 03/26/2004

Current Interest Rate: 6.37500 %

Money paid to and held by the mortgagee but not applied to the loan 0.00 ; if held in the form of checks, balance of such checks \$0.00 and identity of holder of the checks n/a .

This Exhibit and Worksheet was prepared by:

Respectfully submitted,

/s/ David C Nalley

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